

REMARKS

Reconsideration of this application is respectfully requested in view of the foregoing amendment and the following remarks.

Claims 1-29 were pending. Applicants have amended claims 1, 4, 10, 13, 25, and 27, and canceled claims 2 and 26 without prejudice. Accordingly, claims 1, 3-25, and 27-29 will be pending herein upon entry of this Amendment, of which claims 1, 10, 18, and 25 are independent claims. Support for the amendment to each of the claims can be found, for example, at paragraphs [0023] to [0025] of the present application. For the reasons stated below, Applicants respectfully submit that all claims pending in this application are in condition for allowance.

In the Office Action mailed June 9, 2004, the title of the present application was objected to for not being descriptive and a new title was suggested, claim 1 was rejected under 35 U.S.C. 112, second paragraph, for lack of sufficient antecedent basis, claims 1, 5-9, 10, 25, and 29 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,216,434 to Fukumura (“Fukumura”), and claims 2-4, 11-17, 18-24, and 26-28 were rejected under 35 U.S.C. §103(a) over Fukumura in view of U.S. Patent Application No. 2004/0032373 to Petros et al. (“Petros”). To the extent these grounds of rejection might still be applied to claims presently pending in this application, they are respectfully traversed.

Applicants have amended the title of the present application as suggested by the Examiner. Therefore, it is believed that the objection to the title is now overcome. Applicants have also amended claim 1 to address the antecedent basis issued raised in connection with the §112 rejection. Accordingly, this ground of rejection is believed to be overcome as well.

With respect to the art-based rejections, Applicants respectfully submit that Petros is not prior art to the instant application under any provision of 35 U.S.C. §102 because Petros has a filing date, i.e., August 14, 2002, later than that of the present application, namely August 17, 2001. This matter was brought to the Examiner's attention in a telephone call on July 22, 2004. Because Petros is not prior art vis-à-vis the present application, any art-based rejection relying on Petros should be withdrawn. As a consequence, the subject matter recited in 2-4, 11-24, and 26-28 should be allowable.

With the foregoing in mind, and in response to the §102(b) rejection, independent claims 1, 10, and 25 have been amended to recite the features previously recited in dependent claims 2, 13, and 26. Since Fukumura fails to teach or to suggest the LNA feature now recited in these claims, as admitted in the Office Action at, for example, paragraphs 11 to 14, the rejection of claims 1, 10, and 25 and their dependent claims 5-9 and 29 under 35 U.S.C. §102(b) by Fukumura should be withdrawn. Independent claim 18, and its dependent claims, should be allowable for similar reasons.

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In view of the foregoing all of the claims in this case are believed to be in condition for allowance. Should the Examiner have any questions or determine that any further action is desirable to place this application in even better condition for issue, the Examiner is encouraged to telephone applicants' undersigned representative at the number listed below.

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Respectfully submitted,

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